

Southwest Medical Associates and East El Paso Medical Surgical Center D/B/A/ East El Paso Physicians' Medical Center, LLC. Venue is proper in the United States District Court for the Western District of Texas, El Paso Division.

3. Plaintiff's allegations regarding discrimination and retaliation based on age and disability raises a federal question under the Age Discrimination in Employment Act ("ADEA") (29 U.S.C. §621, *et seq*), and the Americans with Disabilities Act ("ADA") (42 U.S.C. §12101 *et seq*). Additionally, the Court has supplemental jurisdiction over Plaintiff's state law claims, which are based on the same set of facts as the federal claims. Thus removal is proper under 28 U.S.C. § 1441.

4. Plaintiff's age and disability discrimination allegations under the ADEA and the ADA were first asserted in Plaintiffs' First Amended Petition. The First Amended Petition and Summons was mailed by certified mail on June 17, 2019 and received by Southwest Medical Associates on June 24, 2019. Defendant has thirty (30) days in which to remove. Therefore, this removal is timely.

5. A true and correct copy of all process and pleadings served upon Defendant in the state court action is being filed with this notice as required by 28 U.S.C. § 1446(a). Also attached is a Supplement to JS 44 Civil Cover Sheet.

ACCORDINGLY, Defendant prays that this cause be removed to the United States District Court for the Western District of Texas, El Paso Division, pursuant to §1441 of Title 28 of the United States Code.

Respectfully submitted,

JACKSON & CARTER, PLLC
6514 McNeil Drive, Bldg. 2, Suite 200
Austin, TX 78729
(512) 473-2002 Telephone
(512) 473-2034 Facsimile

By: /s/ A. Craig Carter
A. Craig Carter
State Bar No. 03908100
ccarter@jackson-carter.com

ATTORNEY FOR DEFENDANT
SOUTHWEST MEDICAL ASSOCIATES, INC.

CONSENT TO REMOVAL

Defendant East El Paso Medical Surgical Center D/B/A/ East El Paso Physicians' Medical Center, LLC hereby consents to removal of this case to federal court.

By: /s/ Amanda Williams
Amanda Williams
Jackson Lewis, P.C.
State Bar No. 24065281

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument was delivered to the following counsel of record as reflected below on July 3, 2019.

Via Facsimile (915)207-1932
Isaac Cordero
Law Office of Isaac Cordero
221 N. Kansas Street, Suite 1203
El Paso, Texas 79901
Attorney for Plaintiff

Via Facsimile (214) 520-2008

Victor N. Corpuz

Amanda Williams

Jackson Lewis, P.C.

500 N. Akard Street, Suite 2500

Dallas, Texas 75021

Attorney for Defendant East El Paso Medical Surgical Center

By: /s/ A. Craig Carter
A. Craig Carter